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July 5, 2023

MEMO ENDORSED.

VIA ECF

The Honorable Ona T. Wang
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

RE: *Amplify Car Wash Advisors LLC v. Car Wash Advisory LLC*, No. 1:22-cv-05612

Dear Judge Wang:

Counsel for Plaintiff, Amplify Car Wash Advisors, LLC, files this joint letter motion on behalf of all parties under Rules I(b) of Your Honor's Individual Rules of Practice in Civil Cases to request an extension of the fact discovery deadline set forth in the Case Management Plan and Scheduling Order entered on November 22, 2022 (Dkt. 44) and thereafter extended by this court (see Dkt. Entry on April 10, 2023, no number attached). Plaintiff has obtained consent from Defendants in this request to extend the discovery deadlines by 60 days.

Section 13 of the Case Management Plan allows for modification of the case management plan and scheduling order by the Court for good cause shown. The current deadline for fact discovery in this case is July 22, 2023. See Dkt. Entry on April 10, 2023. On May 18, 2023, the parties met before the Court in person to discuss ongoing discovery issues. The Court ordered Plaintiff to elect between splitting the cost for Defendants to come and inspect responsive discovery documents and providing electronic copies of the documents to Defendant via email. Plaintiff elected to provide electronic copies of the documents and recently provided those to Defendants. Defendants are still in the process of reviewing those documents.

Due to the delay of discovery, the parties have not noticed any depositions. Counsel for Plaintiff has a number of depositions in other matters from now until the discovery deadline. However, Plaintiff anticipates that it will be able to notice a deposition within a timeframe that is extended by 60 days from the current discovery deadline.

The Parties have both agreed to a 60 day extension, and therefore respectfully request that this Court extend discovery in this case, so that fact discovery closes on September 20, 2023, with the below deadlines reflecting the extended fact discovery deadline of September 20, 2023:

- a. Discovery requests shall be served 60 days prior to fact discovery close.
- b. Depositions shall be completed by close of fact discovery.
- c. Expert disclosures shall be served within 45 days of the close of fact discovery.



- d. Expert rebuttals shall be served within 30 days of expert disclosures.
- e. Expert depositions shall be completed within 14 days of expert rebuttals.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Sof. Que', is written above the printed name.

Sofia J. Quezada

4857-8739-8492, v. 1

Application **GRANTED.**

The parties shall file a joint status letter by **August 25, 2023.**

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Ona T. Wang', is written above the printed name.

Ona T. Wang
U.S.M.J.

7/6/23